

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re WACHOVIA PREFERRED SECURITIES  
AND BOND/NOTES LITIGATION

CITY OF LIVONIA EMPLOYEES'  
RETIREMENT SYSTEM, individually and on  
behalf of all others similarly situated,

Plaintiffs,

-v-

WACHOVIA CORPORATION, *et al.*,

Defendants.

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DOCUMENT  
ELECTRONICALLY FILED  
DOC #  
DATE FILED: 8/10/11

No. 09 Civ. 6351 (RJS)  
ORDER

No. 09 Civ. 8268 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

By Order dated December 11, 2009, the Court permitted Defendants in *City of Livonia Employees' Retirement System v. Wachovia Corp.*, 09 Civ. 8268 (RJS), to consolidate briefing with pending motion papers in *In re Wachovia Preferred Securities and Bond/Notes Litigation*, 09 Civ. 6351 (RJS). The Order provided that "while Defendants need not move separately to dismiss the *Livonia* action, in the event that the pending motion to dismiss the consolidated action is denied, Defendants may move to dismiss the *Livonia* action on grounds unique to it that were not raised in the consolidated action."

The Court is in now receipt of a settlement stipulation from Lead Bond/Notes Plaintiffs in the *Bond/Notes* action. Paragraph I.1.f of the Stipulation and Agreements of Settlement reads as follows:

“Bond/Notes Action” or “Action” means *In re Wachovia Preferred Securities and Bond/Notes Litigation*, Master File No. 09 Civ. 6351 (S.D.N.Y.) (RJS), and includes all actions consolidated therein pursuant to the Court’s Bond/Notes Consolidation Order or otherwise, including, the subsequently filed action denominated *City of Livonia Employees’ Retirement System v. Wachovia Corp., et al.*, No. 09 Civ. 8268 (S.D.N.Y.) (RJS).

(Stipulation, Aug. 5, 2011, ¶ I.1.f.) Accordingly, IT IS HEREBY ORDERED THAT the parties in the *Bond/Notes* and *Livonia* actions shall submit a joint letter no later than August 19, 2011, advising the Court as to the posture of the *Livonia* action following preliminary approval of the *Bond/Notes* settlement.

SO ORDERED.

Dated: August 9, 2011  
New York, New York

  
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RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE